

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

McKINLEY DENSON,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Civil Action No.
1:23-cv-03506-SDG

Criminal Case No.
1:20-cr-00488-SDG-JSA-2

ORDER

This matter is before the Court for review of the Report and Recommendation entered by United States Magistrate Judge Justin A. Anand [ECF 184], which recommends that Petitioner's 28 U.S.C. § 2255 motion to vacate his sentence be denied with prejudice. In the absence of objections, and under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72, undersigned reviewed the Report and Recommendation for plain error and found none. Accordingly, undersigned **ADOPTS** the Report and Recommendation as the Order of this Court. This action is **DISMISSED with prejudice**.

Further, the Court **DECLINES** to issue a certificate of appealability because Petitioner has not shown that "jurists of reason would find it debatable whether" (1) "the petition states a valid claim of the denial of a constitutional right" and (2) "the district court was correct in its procedural ruling." *Lambrix v. Sec'y, Dep't of Corrs.*, 872 F.3d 1170, 1179 (11th Cir. 2017) (quoting *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)). Petitioner may seek certification from the Eleventh Circuit under

Federal Rule of Appellate Procedure 22 for review of this Order. R. Governing § 2254 & § 2255 Cases in the U.S. Dist. Cts., R. 11(a).

The Clerk is **DIRECTED** to close this case.

SO ORDERED this 24th day of January, 2024.

A handwritten signature in blue ink, appearing to read 'Steven D. Grimberg', is positioned above a horizontal line.

Steven D. Grimberg
United States District Judge